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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,605	11/12/2003	Raymond Eugene Paddock	P6125	9007
40997	7590	07/24/2007		
MICHELE ZARINELLI c/o WEST CORPORATION 11808 MIRACLE HILLS DRIVE MSW11 - LEGAL OMAHA, NE 68154			EXAMINER CHAI, LONGBIT	
			ART UNIT 2131	PAPER NUMBER
			MAIL DATE 07/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/712,605

Applicant(s)

PADDOCK ET AL.

Examiner

Longbit Chai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Currently pending claims are 1 – 20.

Response to Arguments

2. Applicant's arguments with respect to the subject matter of the instant claims have been fully considered but are not persuasive.

3. As per claim 1, Applicant asserts Barnier does not teach any check for permission of information use (Remarks: Page 9, 1st Para). Examiner respectfully disagrees because Barnier teaches the predetermined criteria can be established by the users / subscribers as being under what circumstances a user / subscriber wished to be notified (Barnier: Column 24 Line 38 – 41). Therefore, Examiner notes "information use permission request", as recited in the claim, is broadly interpreted as the use of information needs to be permitted by the user / subscriber as pre-established in the predetermined criteria by the user / subscriber to meet the claim language and as such Applicant's arguments are respectfully traversed. Furthermore, Applicant asserts "Examiner is herein using Applicant's claim language in a manner not used or supported by Applicant's claims and specification (Remarks: Page 9 / 3rd Para). Examiner notes Applicant's argument has no merit although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

4. As per claim 1, it is asserted that Applicant does not claim (or define) information control unit (Remarks: Page 9, 2nd Para). Examiner respectfully disagrees. Examiner notes the information control unit is indeed recited in the claim 1 (i.e. claimed by Applicant) (SPEC: Page 15 / Line 4) and Examiner notes the integral entity of an information-store unit, an notification

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facility and a dispatch facility an information control unit, as described in Figure 8 is broadly considered as the information control unit (Barnier: Figure 8 and Column 24 Line 14 – 59).

5. As per claim 1, Applicant further asserts “predetermined use criteria”, as taught by Barnier, is directed to when others are to be notified in an emergency, not whether information may be released (Remarks: Page 10 / 2nd Para). Examiner notes “the emergency associated information that is used for notification” is indeed equivalent to “the information that may be released” and as such Applicant's arguments are respectfully traversed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 – 8 and 10 – 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Barnier et al. (U.S. Patent 6,690,932).

As per claim 1, Barnier teaches a system for administering permission for use of specified information in a respective use circumstance by at least one information user (Barnier: Column 19 Line 52 – 57, Column 20 Line 14 – 26, Column 18 Line 20 – 25, Column 23 Line 13 – 20 and Column 25 Line 14 – 17: the PSAP (Public Safety Answering Station) is qualified as one of information users to request the subscriber's supplemental information from the notification database subsystem under the emergency conditions); said specified information

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being owned by at least one information owner (Barnier: Column 20 Line 25 – 26 and Column 18 Line 21 – 25: the emergency service subscriber is qualified as an information owner); the system comprising:

(a) an information control unit (Barnier: Figure 8 and Column 24 Line 14 – 59: the integral entity of an information-store unit, a notification facility and a dispatch facility an information control unit, as described in Figure 8 is considered as an information control unit); said information control unit comparing an information use permission request with predetermined information use directions for effecting said administering (Barnier: Column 20 Line 18 – 26 and Column 24 Line 33 – 39 and Column 19 Line 52 – 57: (a) the use information request passed from PSAP system to the notification database is considered as an information use permission request, (b) the notification facility of information control unit stores and processes the predetermined usage criteria and supplemental information regarding the subscriber accordingly; where the predetermined usage criteria is qualified as the predetermined information use directions; besides, Examiner notes “information use permission request”, as recited in the claim, is broadly interpreted as the use of information needs to be permitted by the user / subscriber as pre-established in the predetermined criteria by the user / subscriber to meet the claim language and (c) the request from PSAP may be responded until the checking of predetermined usage criteria and supplemental information regarding the subscriber and the supplemental information has been successfully retrieved by the ALI notification system); said information use permission request identifying at least said specified information and said respective use circumstance (Barnier: Column 24 Line 25 – 32 / Line 17 – 22 and Column 23 Line 13 – 20); said information use directions including criteria prescribing permitted use of said specified information (Barnier: Column 24 Line 33 – 40: i.e., the predetermined usage criteria);

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(b) a communication facility coupled with said information control unit for effecting communication with said information control unit to receive said information use permission request from said at least one information user (Barnier: Column 14 Line 26 – 37: a communication milieu is a communication facility); said information control unit communicating a permitting indicator to said at least one information user using said communication facility when said respective use circumstance conforms with said information use directions for said specified information (Barnier: Column 19 Line 52 – 57 and Column 23 Line 13 – 20: the request from PSAP may be responded until the checking of predetermined usage criteria and supplemental information regarding the subscriber and the supplemental information has been successfully retrieved by the ALI notification system – i.e. the corresponding response is qualified to serve as a permitting indicator); and

(c) an information storage unit coupled with at least one of said information control unit and said communication facility for storing said information use directions (Barnier: Column 24 Line 25 – 40).

As per claim 10, Barnier teaches a method for administering permission for use of specified information in a respective use circumstance by at least one information user (Barnier: Column 19 Line 52 – 57, Column 20 Line 14 – 26, Column 18 Line 20 – 25, Column 23 Line 13 – 20 and Column 25 Line 14 – 17: the PSAP (Public Safety Answering Station) is qualified as one of information users to request the subscriber's supplemental information from the notification database subsystem under the emergency conditions); said specified information being owned by at least one information owner (Barnier: Column 20 Line 25 – 26 and Column 18 Line 21 – 25: the emergency service subscriber is qualified as an information owner); the method comprising the steps of:

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(a) in no particular order (Barnier: Column 24 Line 15 – 16):

(1) provide an information control unit (Barnier: Figure 8 / Element 352 and Column 24 Line 14 – 59: an information control unit includes an information-store unit, an notification facility and a dispatch facility); (2) provide a communication facility coupled with said information control unit (Barnier: Column 14 Line 26 – 37: a communication milieu is a communication facility); and (3) provide an information storage unit coupled with at least one of said information control unit and said communication facility (Barnier: Column 24 Line 25 – 40);

(b) storing predetermined information use directions in said information storage unit (Barnier: Column 24 Line 35: predetermined information use criteria is qualified as a predetermined information use directions);

(c) operating said communication facility to effect communication with said information control unit to receive an information use permission request from said at least one information user (Barnier: Column 14 Line 26 – 37 and Column 20 Line 18 – 26: the use information request passed from PSAP / user system to the notification database is considered as an information use permission request); said information use permission request identifying at least said specified information and said respective use circumstance (Barnier: Column 24 Line 25 – 32 / Line 17 – 22 and Column 23 Line 13 – 20);

(d) operating said information control unit to compare said information use permission request with said predetermined information use directions for effecting said administering (Barnier: Column 19 Line 52 – 57, Column 20 Line 18 – 26 and Column 24 Line 33 – 39 and Column 20 Line 18 – 26: the request from PSAP may be responded until the checking of predetermined usage criteria and supplemental information regarding the subscriber and the supplemental information has been successfully retrieved by the ALI notification system); said

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information use directions including criteria prescribing permitted use of said specified information (Barnier: Column 24 Line 33 – 40); and

(e) communicating a permitting indicator to said at least one information user using said communication facility when said respective use circumstance conforms with said information use directions for said specified information (Barnier: Column 19 Line 52 – 57 and Column 23 Line 13 – 20: the request from PSAP may be responded until the checking of predetermined usage criteria and supplemental information regarding the subscriber and the supplemental information has been successfully retrieved by the ALI notification system – i.e. the corresponding response is qualified to serve as a permitting indicator).

As per claim 15, Barnier teaches a method for administering permission for use of specified information in a respective use circumstance by at least one information user (Barnier: Column 19 Line 52 – 57, Column 20 Line 14 – 26, Column 18 Line 20 – 25, Column 23 Line 13 – 20 and Column 25 Line 14 – 17: the PSAP (Public Safety Answering Station) is qualified as one of information users to request the subscriber's supplemental information from the notification database subsystem under the emergency conditions); said specified information being owned by at least one information owner (Barnier: Column 20 Line 25 – 26 and Column 18 Line 21 – 25: the emergency service subscriber is qualified as an information owner); the method comprising the steps of:

(a) establishing predetermined information use directions (Barnier: Column 24 Line 35: predetermined information use criteria); said information use directions including use criteria prescribing permitted use of said specified information and identifying criteria identifying a respective said information owner owning said specified information (Barnier: Column 24 Line 25 – 32 / Line 17 – 22);

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(b) receiving an information use permission query from said at least one information user (Barnier: Column 20 Line 21 – 26: a query from an information user – i.e. PSAP); said information use permission query identifying at least said specified information and said respective use circumstance (Barnier: Column 20 Line 22 – 26, Column 25 Line 14 – 22 and Column 23 Line 13 – 20: i.e., the request information identifies a particular emergency service subscriber and its specific use);

(c) comparing said information use permission query with said information use directions (Barnier: Column 20 Line 18 – 26 and Column 24 Line 33 – 39 and Column 19 Line 52 – 57: (a) the use information request passed from PSAP system to the notification database is considered as information use permission query, (b) the notification facility of information control unit stores and processes the predetermined usage criteria and supplemental information regarding the subscriber accordingly; where the predetermined usage criteria is qualified as the predetermined information use directions and (c) the request from PSAP may be responded until the checking of predetermined usage criteria and supplemental information regarding the subscriber and the supplemental information has been successfully retrieved by the ALI notification system);

(d) providing a permitting indicator to said at least one information user when said respective use circumstance conforms with said information use directions for said specified information (Barnier: Column 19 Line 52 – 57 and Column 23 Line 13 – 20: the request from PSAP may be responded until the checking of predetermined usage criteria and supplemental information regarding the subscriber and the supplemental information has been successfully retrieved by the ALI notification system – i.e. the corresponding response is qualified to serve as a permitting indicator).

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As per claim 2 and 11, Barnier teaches said information control unit receives said information use directions from said at least one information owner via said communication facility (Barnier: Column 23 Line 13 – 20: altering instructions regarding circumstances by the information owner).

As per claim 3 and 12, Barnier teaches respective said information use directions are submitted by a respective submitting information owner of said at least one information owner (Barnier: Column 23 Line 13 – 20: altering instructions regarding circumstances by the information owner); said respective information use directions being stored in said information storage unit associated with each respective submitting information owner (Barnier: Column 24 Line 25 – 42).

As per claim 4, 5, 13, 14 and 18, Barnier teaches said communication facility effects communication via at least one communication milieu of a plurality of communication milieux (Barnier: Column 7 Line 1 – 5 and Column 14 Line 25 – 30).

As per claim 6, Barnier teaches said plurality of communication milieux includes Internet web site data entry (Barnier: Column 14 Line 29: data delivered via internet connections).

As per claim 7 and 20, Barnier teaches said plurality of communication milieux includes telephone communication using voice over Internet protocol equipment (Barnier: Column 6 Line 25 – 29).

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As per claim 8, Barnier teaches said plurality of communication milieux includes telephone communication using a public switched telephone network (Barnier: Column 14 Line 27 – 29).

As per claim 16, Barnier teaches said information permission use query identifies described information desired for use, and wherein said permitting indicator includes said described information (Barnier: Column 19 Line 35 – 37 / 52 – 57 and Column 18 Line 20 – 25).

As per claim 17, Barnier teaches information use permission query is received via at least one communication milieu of a plurality of communication milieux (Barnier: Column 20 Line 15 – 18: the communication / notification bridge subsystem is a part of a plurality of communication milieux).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnier et al. (U.S. Patent 6,690,932).

As per claim 9, Barnier does not disclose expressly said plurality of communication milieux includes e-mail communication via a network. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Barnier to accommodate e-mail communication via a network because Barnier teaches sending a message via Internet service provider access point as one alternative of a plurality of communication milieux (Barnier: Column 14 Line 58 – 59) and Examiner notes e-mail communication via a network is one of the most commonly used message delivery method via Internet service provider.

As per claim 19, Barnier does not disclose expressly said plurality of communication milieux includes Internet web site data entry and e-mail communication via a network. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Barnier to accommodate Internet web site data entry and e-mail communication via a network because Barnier teaches that a plurality of communication milieux include data delivering via internet connections (Barnier: Column 14 Line 29) and sending a message via Internet service provider access point as one alternative of a plurality of communication milieux (Barnier: Column 14 Line 58 – 59) and Examiner notes e-mail communication via a network is one of the most commonly used message delivery method via Internet service provider.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

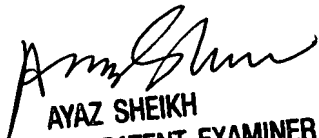
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Longbit Chai
Examiner
Art Unit 2131


LBC


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